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January 24, 2025

**VIA ECF**

The Honorable Jessica G. L. Clarke  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1040  
New York, NY 10007

**MEMO ENDORSED**

**Re: *Lazaar, et al. v. The Anthem Companies, Inc., et al.***  
**No. 1:22-cv-3075 (JGLC)**  
**Letter-Motion to Seal Exhibits in Support of Plaintiffs' Motion for Rule 23 Class Certification**

Dear Judge Clarke:

In accordance with Standing Order 19-MC-583, Section 6 of the S.D.N.Y. Electronic Case Filing Rules and Instructions and Your Honor's Individual Rule 5(e), Plaintiffs Leslie Lazaar and Donna Tropeano-Tirino, by and through their undersigned counsel, file this Letter-Motion to Seal Exhibits in Support of Plaintiffs' Motion for Rule 23 Class Certification.

In support of the Motion, Plaintiffs submit the following:

1. On January 22 and 23, 2025, counsel for Plaintiffs conferred with counsel for Defendants regarding exhibits Plaintiffs intended to file in support of their Motion for Rule 23 Class Certification. Plaintiffs provided specific bates numbers to Defendants of company documents produced by Defendants during discovery that Plaintiffs intended to use in support of their motion for Defendants' consideration as to whether they should be filed under seal;

2. Defendants identified a subset of those documents that they requested be filed under seal;

3. Based on Defendants' request for sealing, Plaintiffs therefore move to seal the following exhibits submitted in support of Plaintiffs' Motion for Rule 23 Class Certification:

- Exhibit 2: Excerpt from AUMSI Staff Listing 1<sup>st</sup> Qtr. 2022 (Bates labeled ANTHEM\_MIDKIFF\_00303409 (filed under seal));
- Exhibit 4: New York 2022 Utilization Management Program Evaluation (Bates labeled ANTHEM\_LAZAAR\_00017257) (filed under seal);
- Exhibit 5: Empire BlueCross Blue Shield Health Plus New York State Utilization Management (UM) Program Evaluation 2022 (Bates labeled ANTHEM\_LAZAAR\_00577975) (filed under seal);

- Exhibit 9: AUMSI UM Services, Inc. 2024 Utilization Management Program Description (Bates labeled ANTHEM\_LAZAAR\_00017202) (filed under seal);
- Exhibit 10: AUMSI Utilization Review Process policy (Bates labeled ANTHEM\_MIDKIFF\_00302192) (filed under seal);
- Exhibit 11: Approval – Initial Inpatient Review Quick Reference Guide (Bates labeled ANTHEM\_LEARING\_008766) (filed under seal);
- Exhibit 12: Approval – Concurrent Review Quick Reference Guide (Bates labeled ANTHEM\_LEARING\_008775) (filed under seal);
- Exhibit 13: Medicaid Inpatient Review Desktop Process (Bates labeled ANTHEM\_LAZAAR\_00011977) (filed under seal);
- Exhibit 14: Clinical Hierarchy for Utilization Management Decisions Operational Guideline (Bates labeled ANTHEM\_LAZAAR\_00010563) (filed under seal);
- Exhibit 15: Pend to Medical Director – Outpatient Quick Reference Guide (Bates labeled ANTHEM\_LEARING\_008600) (filed under seal);
- Exhibit 16: Associates Performing Utilization Reviews – Core Process (Bates labeled ANTHEM\_CANADAY\_00022248) (filed under seal);
- Exhibit 18: Utilization Management Training (Bates labeled ANTHEM\_BAKER\_00116058) (filed under seal);
- Exhibit 21: Utilization Management Standards and Elements 2020 (Bates labeled ANTHEM\_CANADAY\_00021369) (filed under seal);
- Exhibit 22: Clinical Criteria for Utilization Management Decisions – Core Process (Bates labeled ANTHEM\_CANADAY\_00021493) (filed under seal);
- Exhibit 24: Documentation – Clinical Information and Pending for Medical Director Review Quick Reference Guide (Bates labeled ANTHEM\_LAZAAR\_00006662) (filed under seal);
- Exhibit 25: Documentation – Outpatient RN/LPN Completed DoT Tool Quick Reference Guide (Bates labeled ANTHEM\_LEARING\_008704) (filed under seal);
- Exhibit 26: CCR Daily Expectations Work Flow – Medicaid Quick Reference Guide (Bates labeled ANTHEM\_LEARING\_008427) (filed under seal);

- Exhibit 27: Turnaround Time Monitoring, oversight, and Corrective Action Plan Process for Commercial Business (Bates labeled ANTHEM\_LAZAAR\_00010798) (filed under seal);
- Exhibit 28: UM Time Study Findings (Bates labeled ANTHEM\_BAKER\_R\_00014843) (filed under seal);
- Exhibit 29: UM Clinical Audit Tool Reference Guide (Bates labeled ANTHEM\_LAZAAR\_00006573) (filed under seal);
- Exhibit 30: GBD ACMP Audit Tool (Bates labeled ANTHEM\_LEARING\_119627) (filed under seal);
- Exhibit 31: CSBD UM Audit Tool - ACMP (Bates labeled ANTHEM\_LAZAAR\_01333206) (filed under seal);
- Exhibit 32: UM 2C Consistency in Applying Criteria (Bates labeled ANTHEM\_BAKER\_00000300) (filed under seal);
- Exhibit 34: IRRA Tip Sheet (Bates labeled ANTHEM\_LAZAAR\_00007121) (filed under seal);

4. Plaintiffs have notified Defendants that they must file on ECF, within three business days of the filing of this letter-motion, a letter explaining the need to seal these documents.

Dated: January 24, 2025

Respectfully submitted,

**NICHOLS KASTER, PLLP**

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Application GRANTED. The aforementioned documents shall be temporarily sealed. The Court will determine whether the documents shall remain sealed when deciding the motions on class certification. Parties are directed to brief on sealing in accordance with the Court's Individual Rules. The Clerk of Court is directed to SEAL the aforementioned exhibits of ECF No. 124. Access is restricted to attorneys for the parties and court personnel.

SO ORDERED.



JESSICA G. L. CLARKE  
 United States District Judge

Dated: January 27, 2025  
 New York, New York

*Attorneys for Plaintiffs, the FLSA Collective, and  
the Putative New York Rule 23 Class*